

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Richard Lowery, on behalf of himself
and others similarly situated,

Plaintiff,

v.

Texas A&M University System, et al.,
Defendants.

CIVIL ACTION NO.
4:22-cv-3091

JUDGE CHARLES ESKRIDGE

ORDER

The plaintiff's motion for class certification (ECF No. 8) is granted.

The Court certifies the following class under Rule 23(b)(2) of the federal rules of civil procedure:

all white and Asian men who currently stand "able and ready" to apply for faculty appointments at Texas A&M, as well as those who will stand "able and ready" for faculty appointments at Texas A&M at some point in the future.

Richard Lowery is appointed class representative. Jonathan F. Mitchell and Gene P. Hamilton are appointed class counsel under FRCP 23(g). The class claims are:

1. Whether the defendants are violating Title VI and Title IX by discriminating in favor of female and "underrepresented" minority faculty candidates and against white and Asian men.
2. Whether the defendants are violating 42 U.S.C. § 1981 by discriminating in favor of "underrepresented" minorities in their faculty hiring, and against whites and Asians.

3. Whether the defendants violating the Equal Protection Clause by discriminating in favor of female and “underrepresented” minority faculty candidates and against white and Asian men.

So ordered.

Signed on _____, at Houston, Texas.

Hon. Charles Eskridge
United States District Judge